

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

460T0122

HOUSE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **HB 1091** - 1/31/2012

Introduced by: Representatives Hoffman, Deelstra, Dennert, Greenfield, Moser, Olson (Betty), Schaefer, and Turbiville and Senators Nygaard, Brown, Hundstad, and Maher

1 FOR AN ACT ENTITLED, An Act to revise the issuance of temporary nonresident waterfowl
2 licenses.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-6-18.4 be amended to read as follows:

5 41-6-18.4. The Game, Fish and Parks Commission may promulgate rules in accordance with
6 chapter 1-26 to authorize the department to issue up to two thousand fall three-day temporary
7 nonresident waterfowl licenses, up to two thousand early fall Canada goose temporary
8 nonresident licenses, and a number of spring snow goose temporary nonresident licenses to be
9 determined by the department, and to establish the fee therefor, validity of the licenses issued,
10 types of waterfowl to be hunted, and areas in which hunting is permitted. ~~Up to five hundred~~
11 ~~of the fall three-day temporary nonresident waterfowl licenses shall be made available for use~~
12 ~~in the counties of Brown, Marshall, Roberts, Day, Grant, Clark, Codington, Deuel, and Hamlin.~~
13 ~~The commission, in rules promulgated pursuant to chapter 1-26, may establish a process and~~
14 ~~criteria to allow the issuance of a portion of the five hundred licenses in counties other than~~



1 ~~those specified if the department determines that such licenses are otherwise likely to remain~~
2 ~~unsold. Except for the fall three-day temporary nonresident waterfowl licenses issued in Brown,~~
3 ~~Marshall, Roberts, Day, Grant, Clark, Codington, Deuel, and Hamlin counties, the fall three-day~~
4 ~~temporary nonresident waterfowl licenses are valid only on private property, but are not valid~~
5 ~~on private property leased by the department for public hunting or on highways or other public~~
6 ~~rights-of-way within this state that otherwise meet the requirements of § 41-9-1.3. If the~~
7 ~~allotment of the fall three-day temporary nonresident waterfowl licenses left for sale for the~~
8 ~~counties of Potter, Stanley, Sully, Hughes, and Lyman falls below one hundred licenses, the~~
9 ~~Game, Fish and Parks Commission may issue up to five hundred additional licenses for those~~
10 ~~counties.~~ Revenue from the sale of fall three-day temporary nonresident waterfowl licenses shall
11 be deposited in the department's land acquisition and development fund to be used to acquire,
12 by lease, permit, or otherwise, interests in real property to be used for providing waterfowl
13 hunting public access in the counties adjacent to the Missouri River. Revenue from the sale of
14 early fall Canada goose temporary nonresident licenses shall be deposited in the department's
15 land acquisition and development fund to be used to acquire by lease, permit, or otherwise,
16 interests in real property to be used for providing waterfowl hunting public access. Before
17 promulgating rules which permit the issuance of fall three-day temporary nonresident waterfowl
18 licenses, the commission shall determine that adequate waterfowl hunting public access has
19 been provided through the department's land acquisition and development fund or through other
20 means.